

COASTAL WATERS COMMITTEE
MINUTES, MEETING OF 7/27/2017

Members Present: Geoff Summa, Justin Doughty, Aaron Rugh, Kevin Wentworth. Alex Todd was absent.

Also Present: Marjorie Stratton, Town Administrator; Tim Forrester of Atlantic Environmental, Scott Dyer of Custom Floats, Genaro Balzano, Harbor Master; Jim Wilson, Amos "Cecil" Doughty, and the applicants, Steven Silin and Diane Lukac.

1. **Call to order:** Meeting called to order by Geoff Summa at 6:07 PM
Geoff Summa reviewed the two agenda items for the meeting.
2. **Approval of Minutes** – No prior meeting minutes were approved.
3. **Pier Application** – A request for a new 5' x 150' fixed permanent pier and a seasonal 3' x 40' ramp and a seasonal 12 x 20' float, Tax Map I-06, Lot 009, located at 1 Curit Farm Road.

The application was reviewed by Tim Forrester from Atlantic Environmental, LLC. **Application corrections: Page 2, H – The applicants do intend to add low impact solar lights, 2.5 diameter maximum. A minimum number of lights will be installed. Three pairs of lights. Page 4, paragraph 3 – The stairs will measure four (4) feet wide.**

Geoff Summa read from each item in EXHIBIT 1.0.

- A. *Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.* **Geoff Summa** asked if any boulders will have to be moved and will there be erosion issues from moving the stairs. **Tim Forrester** responded that natural erosion occurs, but any erosion would be temporary. **Diane Lukac** stated that they are making an effort to be erosion free. **Geoff Summa** asked why they are moving the stairs. **Tim Forrester** responded that the original site of the stairs would cause a longer run to place a float, so the pier would have to be longer. The relocation creates the minimum structure.
- B. *The location shall not interfere with existing developed or natural beach areas.* **No Comments.**
- C. *The facility shall be located so as to minimize adverse effects on fisheries.* **Geoff Summa** asked about float skids. **Tim Forrester** responded that this helps to reduce the structure.
- D. *The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area.* **No comments.**

- E. *No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the Town of Chebeague Island Cod Ch. 17, Art. II, Zoning Districts & Enforcement 109 structure requires direct access to the water body or wetland as an operational necessity. N/A*
- F. *No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district. N/A*
- G. *Except in the Commercial Fisheries/Maritime Activities District, structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure. N/A*
- H. *Lighting on piers, wharves, docks, bridges, floats and other structures should be designed and installed to minimize negative impacts on other properties and safe navigation at night. Negative impacts include excessive lighting and unnecessary glare that can be a hazard to navigation. Public and Commercial facilities shall submit a lighting plan for review by the Planning Board for safety and compatibility with the proposed use. All lighting shall be in conformance with all Federal, State, and local standards including Coast Guard Regulations for lighting of piers or wharves where applicable. **As amended, the application does propose low impact solar lights. There were no comments.***
- I. *Structures shall not unduly interfere with passage along or within the intertidal zone in order to protect established colonial rights for fishing, fowling and navigation. This may require accommodations such as steps or pier elevations that would allow passage over or beneath a structure. **No comments.***
- J. *Where a waterfront structure is proposed that will serve more than one property, the property owners shall submit to the Town of Chebeague Island a proposed easement demonstrating that permanent access and maintenance rights shall be granted to the parties sharing the structure. The parties shall submit to the Code Enforcement Officer proof of recording of the easement after its review and approval by the Town of Chebeague Island. N/A*
- K. *Before any construction or site preparation begins, the applicant must obtain all Federal, State and local permits, as Town of Chebeague Island Code Ch. 17, Art. II, Zoning Districts & Enforcement 110 required, including but not limited to a Code Enforcement Officer permit, permits from the DEP under the NRPA, 38 MRSA § 480-C as subsequently amended, the Army Corps of Engineers, and a Wharfing-Out permit issued by the Selectmen under 38 MRS, Ch. 9, as subsequently amended. **This requirement has been met.***
- L. **N/A**
- M. **This requirement has been met.**

Motion by Justin Doughty to recommend approval of this pier application to the Planning Board with the amendments and corrections. Second by Kevin Wentworth. Vote 4-0. Motion passed.

4. **Experimental Aquaculture Lease Application – Northeast of Little Chebeague Island, Western Chandlers Bay, Casco Bay.**

There was a discussion about the merits of the lease application. There was a consensus that there would be an impact to local marine activity. There is lobster gear in the area and recreational boaters cut across the bar at high tide. This is almost four acres in area, a very large area. There is a potential to impede boating.

Motion by Justin Doughty to request a hearing conducted by the Department of Marine Resources on behalf of the Coastal Waters Commission. Second by Aaron Rugh. Vote 4-0. Motion passed.

Marjorie Stratton, Town Administrator, was instructed to place a notice on Beverly's website about this lease application.

5. **Other Business – Geoff Summa expressed a desire to step down as Chair of this committee. Motion by Kevin Wentworth to nominate Aaron Rugh as Chair, and Justin Doughty as Secretary of the Coastal Waters Commission. Second by Geoff Summa. Vote 4-0. Motion passed.**

Adjourned at 7:05 PM.